THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.440 OF 2006

Dated: 06-01-2006

Between

M/s. Hindustan Shipyard Limited,

Visakhapatnam, Rep. by its Manager
(Finance), Sri A. Venugopal.

...PETITIONER

AND

Office of the Employees' Provident

Fund Organization, Vuda Layout,

Sub-Regional Office, Visakhapatnam

Rep. by its RPFC-II & OIC

SRO: Vizag, Mr. T.V. Subba Reddy.

...RESPONDENT

ORDER:

Petitioner questions the impugned order dated 26.12.2005 passed under Section 7-Q and 14-B of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act') by the respondent demanding to pay an amount of Rs.71,42,388/- towards interest for the delayed payment under Section 7-Q of the Act and an amount of Rs.1,44,77,789/- towards penal damages under
Section 14-B of the Act.

Admittedly an appeal lies against the said order under Section 7-1 of the Act before the tribunal.

Having regard to the facts and circumstances of the case,
the petitioner is permitted to file an appeal before the tribunal within six weeks from the date of the receipt of a copy of this order and pending disposal of the appeal the impugned order stands stayed if the petitioner deposits the interest amount of Rs.71,42,388/- within six weeks from today.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

January 6, 2006

DSK